

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TRANS-SPEC TRUCK SERVICE, INC.)
d/b/a TRUCK SERVICE,)
Plaintiff)
vs.) CIVIL ACTION NO. 04-11836-RCL
CATERPILLAR INC.)
Defendant)

**MOTION TO STAY MAGISTRATE'S ORDER REQUIRING THE
PRODUCTION OF EXPERT DOCUMENTS AND THE TAKING OF EXPERT
DEPOSITIONS**

The defendant Caterpillar Inc. (“Caterpillar”) hereby moves pursuant to 28 U.S.C. § 636 (a) and Local Magistrate Rule 2 (c) to stay the June 1, 2006 order of Magistrate-Judge Alexander granting the motion entitled Emergency Motion of the Plaintiff to Compel Production of Documents and to Extend Expert Discovery Period (See Exhibit # 1, hereinafter the “June 1 order”). The June 1 order requires Caterpillar to produce documents from their experts by June 14, 2006 and to provide their experts for deposition by June 30, 2006. Caterpillar respectfully requests a stay while the District Court decides Caterpillar, Inc’s Request for Reconsideration by District Court Judge of Magistrate-Judge’s Ruling on Plaintiff’s Emergency (Sic) Motion to Extend the Discovery Deadline and to Require Production of Documents (See Exhibit # 2, hereinafter “Request for Reconsideration”). Caterpillar refers the Court to the accompanying memorandum and exhibits in further support of this request.

WHEREFORE, Caterpillar asks the Court to stay the Magistrate-Judge's June 1 order until such time as the District Court has made a ruling on the Request for Reconsideration.

CATERPILLAR INC.,

By its attorneys,

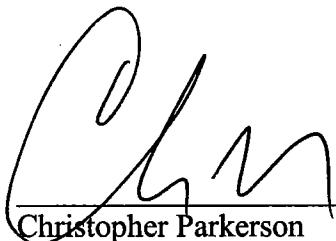
CAMPBELL CAMPBELL EDWARDS
& CONROY, P.C.



John A.K. Grunert (BBO: 213820)
Christopher B. Parkerson (BBO: 662952)
One Constitution Plaza
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CERTIFICATE OF SERVICE

I, Christopher Parkerson, hereby certify that on June 9, 2006, I served the within request by causing a copy to be transmitted electronically to Christian Samito, Esquire, Donovan Hatem LLP, 2 Seaport Lane, Boston, MA 02210.



Christopher Parkerson

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RULE 7.1 CERTIFICATION

I, Christopher B. Parkerson, the undersigned attorney for Caterpillar, Inc., hereby certify that I have conferred with counsel for Trans-Spec on June 8, 2006 and have attempted in good faith to resolve or narrow the issues presented in the Motion to Stay Magistrate's Order Requiring the Production of Expert Documents and the Taking of Expert Depositions. No progress was made with regard to these efforts.

Christopher B. Parkerson (BBO: 662952)
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